

An Ghníomhaireact Chúltaca Ola Náisiúnta
The National Oil Reserves Agency

Consultation Process for Determining the Eligibility of Biofuels Produced from Specific Feedstocks to receive Two Biofuel Obligation Certificates

Standard Procedure to be followed by NORA in making a determination under Section 44G of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010 (the BOS Legislation)

CONSULTATION PROCESS FOR DOUBLE BIOFUEL OBLIGATION CERTIFICATES (BOS CERTS)

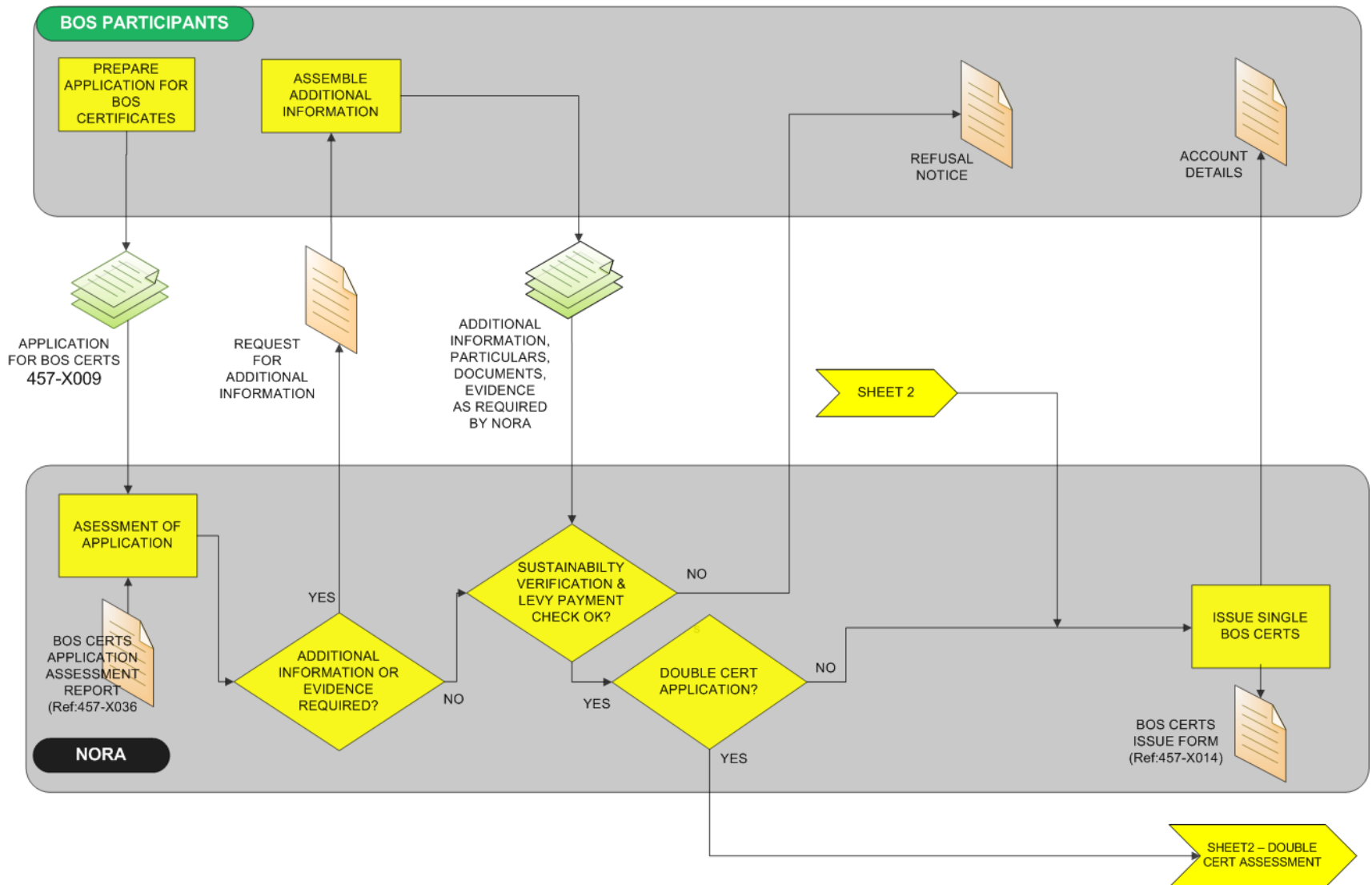
1. Under Section 44G (1) (a) of the BOS Legislation, NORA must make a determination as to the eligibility of any biofuel to receive two BOS Certs per litre if the material used to produce the fuel can be considered to be one of the following: a biodegradable waste, residue, non-food cellulosic material, ligno-cellulosic material, or algae.
2. Before making such a determination, NORA is required (under Section 44G (11) to consult with the following persons (the *consultees*) in order to satisfy itself as to the nature of the biofuel feedstock:
 - the National Standards Authority of Ireland (NSAI),
 - the Sustainable Energy Authority of Ireland (SEAI),
 - the Environmental Protection Agency,
 - the Minister for the Environment, Heritage and Local Government,
 - other such persons as the Agency considers appropriate.
3. NORA has developed a Standard Application Form for BOS Certs and applicants are required to submit, *inter alia*, a process description which provides details of the feedstock materials including, where relevant, waste categories in accordance with the European Waste Catalogue.
4. On receipt of an application for double BOS Certs, NORA will forward the relevant sections of the Application to the consultees and seek their opinions as to whether a specific feedstock (or a specific

portion of it) can be considered to be a biodegradable waste, residue, non-food cellulosic material, ligno-cellulosic material, or algae.

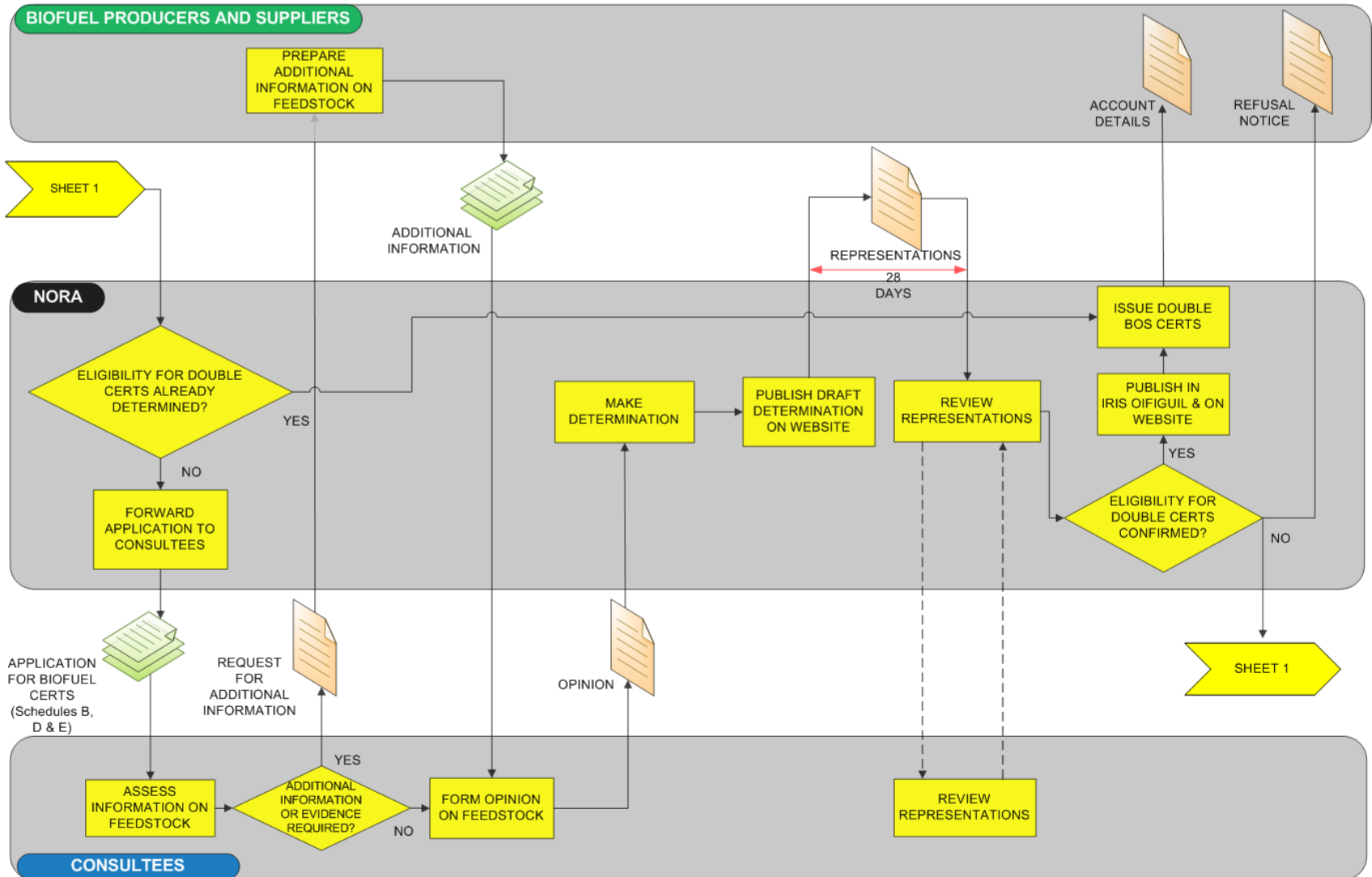
5. Following consideration of these opinions, NORA will make its determination as to the eligibility of a specific biofuel to receive double BOS Certs and will publish all such determinations on its website. Unsuccessful Applicants will be informed why their products did not meet the criteria for double Certs.
6. Interested parties may submit representations in writing to NORA in relation to the proposed determination within 28 days of publication. NORA may revert to its consultees in relation to any representations made in respect of the origin or nature of feedstock material.
7. At the end of the 28 day period, NORA, having considered any representations made, will publish a notice of its determination in the Iris Oifigiúil, on its website and by such other means as is considered appropriate. The Agency will then proceed to issue the double BOS Certs.
8. In order to meet the timelines in the legislation, NORA will request consultees' opinions, by email, **within 10 working days**. The number determinations is expected to be very low and, once a determination is made in respect of a specific feedstock, there will be no need for further consultation.
9. This SOP is illustrated schematically on pages 4 and 5. Proposed text for Determinations are given on pages 6 and 7.

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Assessment of BOS Cert Applications, Sheet 1 of 2: Single Certs



Assessment of BOS Cert Applications, Sheet 2 of 2: Double Certs



TEXT FOR PROPOSED DETERMINATION (TO BE PUBLISHED ON NORA WEBSITE)

To Whom it may Concern

In accordance with Section 44G (1) (a) of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010, the National Oil Reserves Agency (NORA), following consultation with the persons listed below, proposes to determine that the feedstock material referred to as **[quote name and description used in application]** in the Application for Biofuel Obligation Certificates referenced **[provide reference number]** which was submitted to the Agency on **[give date]** by **[name biofuel obligation account holder]**, can be considered to be a biodegradable waste/ residue/ non-food cellulosic material/ ligno-cellulosic material/algae **[delete as appropriate]**. Accordingly, the Agency proposes to issue two biofuel obligation certificates in respect of each litre of such biofuel disposed of by sale or otherwise in the State as reported to the Department of Communications Energy and Natural Resources. In making this Proposed Determination, NORA has consulted with the following persons:

- the National Standards Authority of Ireland (NSAI),
- the Sustainable Energy Authority of Ireland (SEAI),
- the Environmental Protection Agency,
- the Minister for the Environment, Heritage and Local Government,
- **[list any other consultees]**

Representations in respect of this Proposed Determination should be made directly to NORA, in writing, within 28 days of the date of this publication.

Signed:_____ For and on behalf of the National Oil Reserves Agency; Date: _____

TEXT FOR DETERMINATION (TO BE PUBLISHED IN IRIS OIFIGIÚIL AND ON NORA WEBSITE)

To Whom it may Concern

In accordance with Section 44G (1) (a) of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010, the National Oil Reserves Agency, (NORA) having considered such representations as were made to the Agency following the publication of the draft of its Proposed Determination on **[give date]**, has determined that the feedstock material referred to as **[quote name and description used in application]** in the Application for Biofuel Obligation Certificates referenced **[provide reference number]** which was submitted to the Agency on **[give date]** by **[name biofuel obligation account holder]**, can be considered to be a biodegradable waste/ residue/ non-food cellulosic material/ ligno-cellulosic material/algae **[delete as appropriate]**. Accordingly, the Agency intends to issue two biofuel obligation certificates in respect of each litre of biofuel produced from this material and disposed of by sale or otherwise in the State as reported to the Department of Communications Energy and Natural Resources. In making this determination, NORA has consulted with the following persons:

- the National Standards Authority of Ireland (NSAI),
- the Sustainable Energy Authority of Ireland (SEAI),
- the Environmental Protection Agency,
- the Minister for the Environment, Heritage and Local Government,
- **[list any other consultees]**

Signed:_____ For and on behalf of the National Oil Reserves Agency; Date: _____